

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Division of Law 5th Floor  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101

RECEIVED AND FILED  
WITH THE  
N.J. BOARD OF DENTISTRY  
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By: Swang Oo  
Deputy Attorney General  
Attorney for the State Board of Dentistry  
Tel. (973) 648-4735

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF DENTISTRY

IN THE MATTER OF	:	
	:	Administrative Action
SPIROS KARAS, D.M.D.	:	
License No. 22DI01608300	:	
	:	CONSENT ORDER
	:	
LICENSED TO PRACTICE DENTISTRY	:	
IN THE STATE OF NEW JERSEY	:	

The New Jersey State Board of Dentistry ("Board") received information alleging that Spiros Karas, D.M.D. ("Dr. Karas" or "respondent"), had failed to treat patient S.D. within the standard of care for dentists practicing in this State. Patient S.D. has alleged that respondent charged her for dental work performed without her consent.

On September 4, 2012, patient went to respondent's office for emergency treatment of an abscessed tooth. According to the patient's complaint, respondent prescribed an antibiotic and recommended that while the patient was there he would treat a

\*Correction - 7/18/14 - Cover Sheet substituted to reflect correct license number

few cavities. Respondent responded to the complaint with a letter dated October 16, 2012 from his counsel, Theodore Margolis, Esq., in which respondent stated that when the patient presented herself as a new patient on September 4, 2012 he treated the offending tooth. He further discussed with the patient a description of the treatment plan he recommended, and she signed the treatment plan. Respondent stated that the patient was not obligated to proceed with the treatment plan as it was information for her future reference and consideration. The patient informed him that she had no insurance; thus, she applied for CareCredit to cover her emergency procedure. No services from the treatment plan were rendered that day.

On September 7, 2012, the patient returned to Respondent's office to have her cavities treated, the patient claims she did not know that Dr. Karas would fix them with temporary crowns, and, never consented to crowns. Respondent prepared eight (8) teeth and placed temporary crowns, which the patient alleged took one hour. Patient further alleged that respondent opened an account with CareCredit and charged her \$18,000 for work that was yet to be performed. Respondent claims in his letter that the

patient contacted CareCredit herself and sought to receive an extension of her available credit.

On September 11, 2012, the patient asked for her x-rays and informed respondent's office staff that she was seeking a second opinion. Respondent, in his letter to the Board, stated that his office tried to contact the patient to determine the patient's intention as to the completion of her treatment, but she did not respond. Respondent became convinced that the patient did not intend to return, and he contacted CareCredit and refunded \$6,426.00 as the balance for work that had not been completed.

On May 15, 2013, respondent appeared with his counsel at an investigative inquiry held by the Board. Respondent was questioned as to his records and treatment of patient S.D. Based on respondent's answers and the patient's record, the Board found that there was poor diagnosis and treatment planning as respondent failed to establish correct vertical and centric dimensions. Respondent showed poor record keeping including failing to include relevant information about the patient's medical history, as S.D. had been diagnosed with cancer which would require medical clearance prior to treatment. Additionally, the Board found poor sequencing of treatment, that respondent used poor diagnostic materials and poor intraoral records, failed to evaluate the periodontal condition and TMJ condition of the patient; and failed to obtain medical clearance prior to starting

work. Additionally, the Board found respondent lacked knowledge in pharmacology, as he was not aware of the drug interactions that cause dry mouth.

These facts establish a basis for disciplinary action pursuant to N.J.S.A. 45:1-21 (d), (e) and (h) in that respondent engaged in repeated acts of negligence or incompetence, engaged in professional misconduct and failed to comply with the Board's record keeping rule based on the patient records and charts as maintained by respondent, respondent's billing ledgers and his testimony at the investigative inquiry. It appearing now that respondent desires to resolve this matter without recourse to formal proceedings; that the within resolution is adequately protective of the public health, safety and welfare and for good cause shown:

IT IS ON THIS 16<sup>th</sup> DAY OF June, 2014,

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby reprimanded for repeated acts of negligence.
2. Respondent is assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the amount of \$10,000.
3. Respondent must refund the patient for all treatment except the lab bills.
4. Within six (6) months of the entry of this Consent Order, respondent shall fully attend, successfully complete, and pass the ProBE (Professional Problem Based Ethics) course offered by The Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey

07901, or other ethics course of similar content that is pre-approved by the Board. Documentation of full attendance and successful completion of the course shall be provided to the Board within 10 days of completion.

5. Respondent must complete a 10 month course on esthetics at New York University or a course of similar content and duration preapproved by the Board.
6. Failure to comply with any of the terms of this Consent Order may result in further disciplinary action.

NEW JERSEY STATE BOARD OF DENTISTRY

By:

Shirley Birenz, R.D.H., M.S.  
Shirley Birenz, R.D.H., M.S.  
Acting Board President

I have read and I understand this consent order and agree to be bound by its terms. I consent to the entry of this order.

Spiros Karas, D.M.D

Date

I consent to the entry of this Order as to form.

Theodore Margolis, Esq.  
Theodore Margolis, Esq.  
Attorney for Spiro Karas, D.D.S.